THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.19291 OF 2005

Dated 16th September 2005

Between:

N.Silpa D/o.Raghunadha Rao,

R/o.Polukonda village, Nandivada Mandal,

Krishna District.

…Petitioner

And

The Chairperson and Selection Committee,

NTR University, Vijayawada, Krishna Dist & another.

…Respondents

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O R D E R:

The petitioner sought a writ of mandamus, declaring the action of the respondents, in not admitting her into the I-Year of MBBS course, in Konaseema Institute of Medical Sciences, Amalapuram, in a seat reserved against Scheduled Tribe candidate. Her grievance is that though she was issued a caste certificate, as right as on 24.6.2004, by the Mandal Revenue Officer, Palakonda, during the course of verification, the second respondent doubted the genuinity of the same, and on account of it, the admission is delayed.

The matter was heard initially on 1.9.2005. The learned Government Pleader for Social Welfare took time to obtain instructions. Today, a counter affidavit is filed,

enclosing certain documents. It is stated that after conducting enquiry, in accordance with the provisions of the Andhra Pradesh (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 1993, for short “the Act”, the competent authority under the Act, has cancelled the caste certificate of the petitioner, through proceedings dated 1.2.2005. The order and the notification issued under the Act are enclosed.

Heard the learned counsel for the petitioner and learned Government Pleader for Social Welfare.

It is not in dispute that the petitioner claimed admission into I-Year MBBS course, on the strength of a caste certificate. After conducting the enquiry, as provided for under Section 5 of the Act, and the Rules made thereunder, the competent authority has cancelled the caste certificate of the petitioner. With that, the petitioner cannot claim the same social status, as of now. If the petitioner is aggrieved for such cancellation, she has to avail the remedy of appeal, provided for under Section 7 of the Act.

Therefore, the writ petition is dismissed, leaving it open to the petitioner, to avail the remedy of appeal, against the orders of cancellation of her caste certificate. There shall be no order as to costs.

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16th September 2005

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